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Attorneys for Defendant FACEBOOK, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 ANGEL FRALEY; PAUL WANG; SUSAN
15 MAINZER; JAMES H. DUVAL, a minor, by
and through JAMES DUVAL, as Guardian ad
16 Litem; and WILLIAM TAIT, a minor, by and
through RUSSELL TAIT, as Guardian ad
17 Litem; individually and on behalf of all others
similarly situated,

18 Plaintiffs,

19 v.

20 FACEBOOK, INC., a corporation; and DOES
21 1-100,

22 Defendant.
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Case No. CV-11-01726 LHK (PSG)

**DECLARATION OF MATTHEW D. BROWN
IN SUPPORT OF FACEBOOK, INC.'S REPLY
IN SUPPORT OF MOTION TO DISMISS
SECOND AMENDED CLASS ACTION
COMPLAINT**

Date: September 29, 2011
Time: 1:30 p.m.
Courtroom: 4
Judge: Hon. Lucy H. Koh
Trial date: None Set

1 I, Matthew D. Brown, hereby declare as follows:

2 1. I am an attorney licensed to practice law in the State of California, and I am
3 admitted to practice before this Court. I am a partner with the law firm of Cooley LLP, attorneys
4 for Defendant Facebook, Inc. ("Facebook"). I make this declaration in support of Facebook's
5 Reply Brief in Support of the Motion to Dismiss the Second Amended Complaint. I have
6 personal knowledge of the facts stated in this declaration, and if called upon to testify, could and
7 would competently testify thereto.

8 2. Attached as Exhibit A is a true and correct copy of the Class Action Complaint
9 filed in the case *Cohen v. Facebook, Inc.*, No. C 10-05282-RS (N.D. Cal., Nov. 22, 2010), Docket
10 No. 1.

11 3. Attached as Exhibit B is a true and correct copy of Plaintiffs' Memorandum of
12 Points and Authorities in Opposition to Defendant Facebook, Inc.'s Motion to Dismiss the Class
13 Action Complaint filed in the case *Cohen v. Facebook, Inc.*, No. C 10-05282-RS (N.D. Cal., Feb.
14 3, 2011), Docket No. 14.

15 4. Attached as Exhibit C is a true and correct copy of the Consolidated Amended
16 Complaint filed in the case *In re Facebook Privacy Litigation*, No. C 10-02389 JW (N.D. Cal.,
17 Oct. 11, 2010), Docket No. 36.

18 5. Because Facebook's Reply in support of its Motion to Dismiss the Second
19 Amended Complaint in this case cites these filings (*see, e.g.*, Motion at 4, 6, 14), courtesy copies
20 of the filings are attached for the Court's convenience.

21 I declare under penalty of perjury that the foregoing is true and correct. Executed on
22 August 15, 2011 at San Francisco, California.

23 /s/ Matthew D. Brown
24 Matthew D. Brown

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